

Operationalizing the Right to Health in the Context of UHC efforts

WORKSHOP ON
GOVERNANCE IN UNIVERSAL HEALTH COVERAGE
CAIRO, EGYPT



WORLD BANK GROUP

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Costa Rica (2010): Efforts to realize the Right to Health focused on Judicial Accountability

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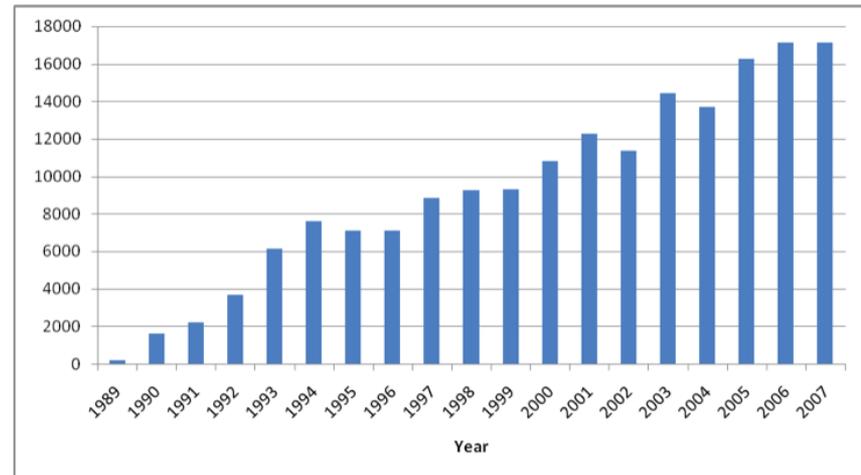
The Boston Globe

One girl's hope, a nation's dilemma

A Cambridge firm's drug worked wonders, but was hugely costly - more than Costa Rica thought it could spend on one child among so many



Every two weeks, Tania Gonzalez receives a two-hour treatment with a drug called Cerezyme in a San Jose



Bruce M. Wilson. Enforcing Rights and Employing an Accountability Function.
University Central Florida – CHR Michelsen Institute, March 2009

Lack of political dialogue and joint understanding of the subject of human rights

What is that thing called the “Right to Health”

Timely and appropriate health care as well as determinants of health that meet the following characteristics:

Result Elements

- Accessibility
- Availability
- Acceptability
- Quality

Process Elements

- Participation
- Non discrimination
- Equality¹: Affirmative action

For the right to health to be fully operational there is a need of

1. Systemic accountability (Not only to hold governments’ accountable)
2. Systemic transparency (Not only the government should be transparent)

Some of these obligations are subject to progressive realization whereas some others are of immediate realization. Progressive realization allows for planning, measuring, adjusting, and cooperation.

¹ Equality: the Road Less Travelled | Professor Paul Hunt | TEDxUniversityofEssex
<https://www.youtube.com/watch?v=Q2ydINUhp5g>

Contribution of the R2H to UHC efforts

- Evidential arguments -

“There is plausible evidence that human rights contributed positively to health and health related gains for women and children:

- Increased access to emergency obstetric care (Nepal)
- Increased access to modern contraception (Brazil)
- Reductions in early childhood mortality (Malawi)
- Increased vaccination coverage (Italy)”



Book can be found at:

http://apps.who.int/iris/bitstream/10665/84203/1/9789241505420_eng.pdf

Contribution of the R2H to UHC efforts

- Evidential arguments 2 -

“What evidence is there that the participation of women in the design, implementation, management and/or evaluation of their community health services/systems leads to greater access to, and use of, acceptable and quality reproductive, maternal and child health services, and/or improved outcomes?”

- There was evidence of an association between women’s participation and improved health and health-related outcomes.
- The studies in the review highlighted the benefits of attention to additional HRBA principles alongside participation”



Book can be found at:

http://apps.who.int/iris/bitstream/10665/84203/1/9789241505420_eng.pdf

Contribution of the R2H to UHC efforts

- Evidential arguments 3 -

Based on judicial accountability procedures, in 2008 the Colombian Constitutional Court ordered the fulfillment of a pending legal mandate. This mandate entitled all Colombians to receive the same set of basic services.

As a result, the Colombian government has reformulated its legal framework to comply with this order. Current efforts adjust norms, procedures, and sub-legal frameworks to ensure equal access to services

THE EXPERIENCE OF ACCOUNTABILITY IN COLOMBIA



Contribution of the R2H to UHC efforts

- Deontological arguments -

- Moral reasons
- Political reasons
- Legal reasons



LESSONS LEARNT FROM THE LATIN AMERICAN EXPERIENCE

(WWW.SALUDERECHO.NET)

PRECONDITIONS

- High-level political leadership
- Advocacy for human rights
- Dynamic civil society

PROCESS

- Selection of a subset of understandable and manageable problems
- Progressive development of a safe & continuous meaningful & participatory engagement of the different actors (nothing about us without us)
- Progressively ensuring that all actors have rights and responsibilities
- Agree on workable milestones
- Monitor and measure
- Develop credible processes and institutions trusted with accountability

COSTA RICA: THE STORY OF A MULTI STAKEHOLDER COALITION WORKING TOWARDS THE REALIZATION RIGHT TO HEALTH



Some up-to-date results:

- Continued political leadership at highest levels;
- Four years of sustained work;
- Shared understanding of major challenges;
- Agreed work plans on different access to health areas:
 - Pharmaceutical prioritization
 - Use of evidenced-based medicine to solve important matters
 - Management of waiting lists
 - Chronic diseases
- Permanent involvement of civil society

Many thanks!

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